## BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (310) 207-3800

INTELLECTUAL PROPERTY LAW 12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 FACSIMILE: (310) 820-5988 (310) 820-5720 RECEIVED CENTRAL FAX CENTER

FACSIMILE COVER SHEET

FEB 2 \$ 2007

Deliver to: Tran, Phuc H., USPTO	Art Group:2616
Facsimile No.: (571) 273-8300	Date: <u>February 27, 2007</u>
From: Ioseph Lutz, Reg. No. 43,765	
Our Docket No.: 42390P13004	Number of pages19_;including this sheet.
pplication No.: <u>10/085.661</u>	Filing Date: 2/26/2002
	Docket Due Date(s): 2/28/2007
nclosed are the following documents:	200101.200.200.000
	☐ Issue Fee Transmittal
☐ Appeal Brief (pgs)	☐ Notice of Appeal
Application:	Petition for:
(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)
Assignment & Cover Sheet (pgs)	☐ Reply Brief (pgs)
☑ Certificate of Mailing	Request & Certification Under 35 USC 122(b)(2)(B)(i)
☐ Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request
☐ Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter
☐ Drawings:sheets, figures	☐ Response to Written Opinion (pgs)
Extension of Time:	☐ Terminal Disclaimer
Fee Transmittal (In duplicate)	☐ Transmittal of Publication Fee Due
☐ IDS & PTO/SB/08 ( pgs)	▼ Transmittal Letter
Other	
	•

Annie McNally Date

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## FEB 2 \$ 2007

TRANSMITTAL FORM (to be used for all correspondence after initial filling)		Application No.	10/085.661		
		Filing Date	February 26, 2002		
		First Named Inventor	Kelan C. Silvester		
		Art Unit	2616		
		Examiner Name	Tran, Phuc H.		
Total Number of Pa	ges in This Submission	18	Attomey Docket Number	42390P13004	
	ENCLOS	SURES (chec	k all that apply)		
Fee Transmittal				After Allowance Communication to TC	
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Response to Missing Parts/ incomplete Application		Remarks			
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Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP					
Signature					
Date February 27, 2007					
CERTIFICATE OF MAILING/TRANSMISSION					
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.					
Typed or printed name   Annie McNally				()	
Signature	A	Micha		Date 02/27/2007	
Board on PTO/SB/21 (09-04) as modified by Blakety. Solokoff, Taylor & Zafman (neb) 104/9/2006. SEND TQ: Commissioner for Patonis, P.O. Box 1450, Akoxandris, VA 22313-1450					

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		First Named Inven	tor Kelan C	Silvester	-	
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SUBMITTED BY Complete (If applicable)						
	oseph Lutz		Registration No. (Attomoy/Agent)	43,765	Telephone	(310) 207-3800
Signature				-	Date	02/27/07
		- Land - Land	<del>/ ``</del>			· · · · · · · · · · · · · · · · · · ·
3ased on PTO/68/17 (02-07) 8 SEND TO: Commissioner for F	ased on PTO/SB/17 (02-97) as modified by Bilitary, Sokoloff, Taylor & Zelman (wit) 02/28/2007.  END TO: Commissioner for Patoms, P.O. Bok-400, Alexandria, VA 22313-1450					

### FEB 2 7 2007

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		Application Numb				
		Filing Date		y 26, 2002		
		First Named Inve	TOTAL TEOTRIT	C. Silvester		
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TOTAL AMOU	INT OF PAYMENT	(\$) 0.00	Art Unit Attorney Docket I	2616 No. 42390P1	3004	
		7.77	Author Docker	1 4239UP	JUL	
METHOD OF PAYMENT (check all that apply)						
☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify):						
Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP						
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)						
☐ Charge	fee(s) indicated belov	v		any overpayments		
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1254 1,590 2254 796 Extension for reply within fourth month						
1255 2,150 2256 1,060 Extension for reply within lith month 1401 500 2401 250 Notice of Appeal						
1402 600	1402 500 2402 250 Filing a brief in support of an appeal					
1403 1,000 2403 500 Request for oral hearing 1461 1,510 2451 1,510 Petition to institute a public use proceeding						
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1809 790	1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a))					
1810 790 2910 295 For each additional invention to be examined (37 CFR § 1.129(b))						
Other foo (spocity)  SUBTOTAL (2) (5)						
SUBMITTED BY	7				Comp	lete (if applicable)
Name (Рии/тура)	Joseph Lutz		Registration No. (Allomey/Agent)	43,765	Telephone	(310) 207-3800
Signature	Signature   Date 02/27/07					

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FEB 2 7 2007

Our Ref. No.: 42390P13004

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:	)
SILVESTER, Kelan C.	) Examiner: Tran, Phuc H.
Application No. 10/085,661	) Art Group: 2616 )
Filed: February 26, 2002	<u> </u>
For: APPARATUS AND METHOD FOR AN AUDIO CHANNEL SWITCHING WIRELESS DEVICE	) · · · · · · · · · · · · · · · · · · ·

### AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop Amendment Commissioner for Patents P. O. 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed November 29, 2006, Applicant submits the amendments and remarks that follows.